

**NORTH DAKOTA VETERANS HOME
LISBON, NORTH DAKOTA
GOVERNING BOARD MEETING**

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DATE/TIME: Tuesday, August 11, 2009 @ 10:30 AM. **LOCATION:** North Dakota Veterans Home-M/P Room **MEETING:** Regular Special

MEETING CALLED TO ORDER: by Chairman, Norris Braaten

Members Present: Norris Braaten, Chairman Daryl Beard Dean Overby Darrol Schroeder
Jerry Meske, Vice Chairman Orletta Kilen

Members Absent: DuWayne Ternes

OTHERS PRESENT BY INVITATION:

NDVH Administrator-Mark B. Johnson Accounting Manager-Kristin Lunneborg Executive Secretary-Margie Ourenhagen
Mike Mullen, Assistant Attorney General A.C.O.V.A. Chairman-Lyle Schuchard Ralph Metcalf-House of Representatives
Physical Plant Director-Bob Nelson Bernie Bailey-Owners Representative

AGENDA ITEM

PRESENTATION/DISCUSSION

RECOMMENDATION/ACTION

AGENDA ITEM	PRESENTATION/DISCUSSION	RECOMMENDATION/ACTION
01. Pledge of Allegiance/Moment of silence for POW/MIA's requested by Chairman.	Chairman Braaten called for the Pledge of Allegiance, followed by a moment of silence for the POW/MIA's.	NAR (No Action Required)
02. Roll Call: Recording Secretary	Roll call taken by recording secretary	A quorum was present.
03. Welcome: Chairman-Norris Braaten	Chairman Braaten welcomed the members and guests.	NAR (No Action Required)
04. Appeals Hearing Chairman-Norris Braaten	<p>Motion # 1 made by Jerry Meske, seconded by Orletta Kilen that the Governing Board goes into executive session for attorney consultation. The legal authority for closing this portion of the meeting is North Dakota Century Code 44-04-19.1(9).</p> <p>We now ask the members of the public who are attending the meeting to leave the room. We anticipate adjourning the executive session, and reconvening the open portion of the meeting, at approximately 10:45 a.m. The minutes will show that the executive session began at 10:35 a.m. and was attended by Norris Braaten, Daryl Beard, Dean Overby, Darrol Schroeder, Jerry Meske, Orletta Kilen, Mark B. Johnson and Mike Mullen.</p>	Motion # 1 carried.

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AGENDA ITEM	PRESENTATION/DISCUSSION	RECOMMENDATION/ACTION
	<p>Motion # 2 made by Darrol Schroeder, seconded by Daryl Beard that the Governing Board adjourns the executive session.</p> <p>The minutes will show that the executive session was adjourned at 10:50 am. The public has been invited to return to the meeting room and we are now returning to open session.</p> <p>Motion # 3 made by Daryl Beard, seconded by Jerry Meske that the Governing Board goes into executive session for the appeals hearing. The legal authority for closing this portion of the meeting is North Dakota Century Code 44-04-19.1(9).</p> <p>We now ask the members of the public who are attending the meeting to leave the room. We anticipate adjourning the executive session, and reconvening the open portion of the meeting, at approximately 11:30 a.m. The minutes will show that the executive session began at 10:55 a.m. and was attended by Norris Braaten, Daryl Beard, Dean Overby, Darrol Schroeder, Jerry Meske and Orletta Kilen, Jann Neameyer, Mark B. Johnson and by telephone Mike Mullen, the applicant and his/her social worker.</p> <p>Motion # 4 made by Orletta Kilen, seconded by Darrol Schroeder that the Governing Board adjourns the executive session.</p>	<p>Motion # 2 carried</p> <p>Motion # 3 carried</p> <p>Motion # 4 carried</p>

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	<p>The minutes will show that the executive session was adjourned at 12:31 pm. The public has been invited to return to the meeting room and we are now returning to open session.</p> <p>Motion # 5 made Jerry Meske, seconded by Darrol Schroeder to decline the appeals hearing application for admission to the Basic Care Facility at this time. This application is not denied because of criminal history or alcoholism; but because of new information -- including testimony and that of social worker regarding applicants medical condition and care needs, the governing body is deferring action on application for admission to the Basic Care Facility until there is an opportunity for the Veterans Home Staff to further evaluate applicants care needs and whether applicant is a suitable applicant for admission to the Basic Care Facility.</p>	<p>Motion # 5 carried</p>
<p>05. Approval of Governing Board Minutes: Chairman-Norris Braaten Board Meeting-July 14, 2009</p>	<p>Motion # 6 made by Dean Overby, seconded by Daryl Beard to approve the minutes e-mailed to the board. Correction was made on the spelling of Foss Architecture & Interior.</p>	<p>Motion # 6 carried</p>
<p>06. Approval/Conflict of Interest of Agenda Items Chairman-Norris Braaten</p>	<p>Chairman Braaten asked if any board members have a conflict of interest with any agenda items.</p>	<p>There are no conflicts of interest stated at this time.</p>
<p>07. Building Committee Report Chairman-Bldg Comm.-DuWayne Ternes Owners Representative-Bernie Bailey</p>	<p>Discussion was held on the following:</p> <ul style="list-style-type: none"> • Observation Report from Bernie Bailey • Letter from ND Dept. of Health dated 07/15/09 • Letter from ND Dept. of Health dated 	<p>Administrator Johnson and Physical Plant</p>

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	<p>07/29/09 regarding underground storage tank.</p> <ul style="list-style-type: none"> • The Gazebo being moved and the installation of the water supply pipes. <p>Motion # 7 made by Darrol Schroeder, seconded by Dean Overby to stubbed in the water and sewer plumbing as part of the present project; however the installing of the water and sewer lines and relocation of the gazebo will be a separate project.</p> <ul style="list-style-type: none"> • Pictures taken of the jobsite. • Floor drains and concerns how Foss Architecture & Interiors is going to insure that drains are not going to freeze. • Project Milestone schedule. • 460 wells have been dug. • How are the break back ties that were used comparable to what was specified in the bidding. • The contractor and the architecture need to be held responsible and respond in writing if there is any deviation from the bid specifications. <p>Motion # 8 made by Daryl Beard, seconded by Orletta Kilen that the issue of the use of the incorrect ties and the cost difference be resolved in writing from Foss Architecture & Interiors.</p> <p>The following change orders were discussed:</p>	<p>Director, Bob Nelson, will contact the Lisbon City Council to discuss the wellhead protection act.</p> <p>Motion # 7 carried.</p> <p>Floor drain issues have been discussed at the construction meetings and will be monitored very closely.</p> <p>Motion # 8 carried.</p>

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	<ul style="list-style-type: none"> • Comstock Construction's request for \$8,424.00 for the underground sewer line having to be changed after they ran into the culvert. <p>This culvert was in the drawings from the very beginning, therefore the Veterans Home believes this was an engineer's mistake and that the cost should be placed on the architects and engineers.</p> <p>The Governing Board stressed the high importance of contractors receiving prior change order approval before the work is started.</p> <p>Motion # 9 made by Darrol Schroeder, seconded by Orletta Kilen to deny proposal request 4G to Comstock Construction in the amount of \$8,424.00.</p> <p>The ND Department of Health took issue with the fact that was no heat under the freezer and refrigerators. Motion # 10 made by Daryl Beard, seconded by Orletta Kilen to approve change order request 2E to Nordick Electric in the amount of \$827.00.</p> <p>The web cam is up and running at the location. Live pictures can be viewed in-house; however still pictures are being displayed on the website www.nd.gov due to the cost.</p>	<p>Motion # 9 carried.</p> <p>Motion # 10 carried Darrol Schroeder absent</p>

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	A major concern addressed by the Governing Board is getting various areas of the new facility enclosed prior to freeze up.	The regular construction meetings minutes will be sent to the Governing Board.
<p>08. Financial Report: Accounting Manager-Kristin Lunneborg</p>	<p>Kristin Lunneborg, Accounting Manager, discussed the following items with the board:</p> <ul style="list-style-type: none"> • Census Data report for Aug. 2008 – July 2009. • Appropriation Status Report for Biennium ending 06/30/09 • Organizational Status Report by Summary Account for Biennium ending 06/30/09. • Medicare D participation for pharmacy medications and receiving the eligible reimbursements was discussed. No deposits have been made towards Medicare D for the last fiscal year. • Reimbursements for medications to veterans with service connected disabilities. • Hiring of temp nurses and CNA’s to cover staff shifts for those out on sick leave or for turn over staff. Currently only CNA positions unfilled. • 1991 Skilled Nursing Facility is paid off. • Accounts Receivable for basic and skilled as of July 2009. <p>Motion # 11 made by Daryl Beard, seconded by Jerry Meske to write off #'s 1 (\$923.00), #4 (\$4,001.00) & #7 (\$673.00) from the Skilled Accounts Receivable.</p> <p>Motion # 12 made by Jerry Meske, seconded</p>	<p>Mike Mullen, Attorney General Representative, is reviewing the three pharmacy contracts.</p> <ul style="list-style-type: none"> ○ Consultant Pharmacist ○ Pharmaceutical Provider ○ Relief Pharmacist <p>Administrator Johnson and Accounting Manager, Kristin Lunneborg, will check into the Medicare D participation.</p> <p>Fargo VA is reviewing the entire North Dakota Veterans Home resident’s social security numbers to determine who is eligible for medication reimbursements due to service connected disabilities. When eligibility is established, reimbursement billings will be processed for current residents with service connected disabilities and for those eligible from previous years beginning with the date this was implemented.</p> <p>Motion # 11 carried.</p> <p>Motion # 12 carried.</p>

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	<p>by Orletta Kilen to write off # 1 (\$1,168.51) from the Basic Accounts Receivable.</p> <ul style="list-style-type: none"> • Expenses for New Building as of 08/10/09. • Payment Requests <ul style="list-style-type: none"> • Foss Architecture - \$25,841.22 • Comstock Construction - \$1,007,244.87 • Grant's Mechanical - \$417,888.00 • Nordick Electric - \$54,865.80 <p>Motion #13 made by Jerry Meske, seconded by Orletta Kilen to make recommendation for payment upon the approval from the Building Committee.</p> <p>Motion #14 made by Jerry Meske, seconded by Daryl Beard to approve the financial report.</p> <p>The following changes were presented to the Rent Policy:</p> <ul style="list-style-type: none"> • Policy: It is the policy of the North Dakota Veterans Home to charge rent to residents in accordance with <u>Veterans Administration the North Dakota Veterans Home Governing Board</u> and the State of North Dakota laws and regulations. • <u>How Rent is Calculated-Basic Care delete # 5 A husband and wife, both residing at the Veterans Home may request to have their incomes combined for the purpose of</u> 	<p>Motion #13 withdrawn</p> <p>Motion #14 carried.</p>

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	<p>calculating rent charges. This option must be approved by the Administrator.</p> <ul style="list-style-type: none"> • SKILLED & BASIC CARE RENT FOR ABSENCE DAYS: Rent will be charged for all days, <u>including leaves of absence</u>, of absences except for days of hospitalization in a VA hospital or a non-VA hospital at the VA expense. • COLLECTIONS: # 2 deletes <u>Basic Care</u> to allow pre billing for both Basic & Skilled. <p>Motion # 15 made by Daryl Beard, seconded by Orletta Kilen to adopt the Rent Policy as presented. The following change was addressed prior to taking the roll call vote. Any changes to this policy must be approved by the North Dakota <u>Administrative Committee on Veterans Affairs</u> <u>Veterans Home Governing Board</u>.</p> <p>Rent Policy effective date was discussed. Motion # 16 made by Daryl Beard, seconded by Orletta Kilen to have the Rent Policy effective date 11/01/09.</p>	<p>Motion # 15 passed. Yes-3 - Daryl Beard, Orletta Kilen, Norris Braaten No-2 – Dean Overby, Jerry Meske</p> <p>Motion # 16 passed. Yes-4 - Daryl Beard, Jerry Meske, Orletta Kilen, Norris Braaten. No-1 – Dean Overby</p>
<p>09. Article 86-01-01 & 86-03-01 to 86-03-10 Chairman-Norris Braaten</p>	<p>Proposed amendments to and repeal of Sections of N.D. Admin. Code</p> <ul style="list-style-type: none"> • Article 86 Chapter 1 Section 1 • Article 86 Chapter 3 Sections 1-10 <p>There is no time frame for the completion of these proposed amendments.</p>	<p>86-03-01-02. Admission Eligibility Requirements: This section will be presented to Mike Mullen, Attorney General Representative, for approval of language.</p>

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	<p>The completed document will be presented to the ACOVA for review.</p>	
<p>10. Closing Comments</p>	<p>Motion # 17 made by Jerry Meske, seconded by Daryl Beard to have the next Governing Board meeting the 2nd Tuesday in October.</p> <p>North Dakota Veterans Home Residents addressed the governing board in regards to Administrator Johnson proposing to close down the third floor smoke room to smoking and developing this room into an exercise room.</p> <p>Administrator Johnson pointed out the following concerns with smoking allowed in the Veterans Home:</p> <ul style="list-style-type: none"> • Not following state protocol that state facilities are smoke free. • Deficiencies have been sited on the veteran's home due to smoking within the facility. • Residents falling to sleep with a lit cigarette. • Accident/incident reports are required to be filed with the VA which alerts safety issues. • Staff transporting smoking residents to the smoke room. • A bigger blower could be installed in the ground floor smoke room to ventilate the additional smoke. • Discussion was held on how much the governing board should be involved with 	<p>Motion # 17 carried.</p>

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	<p>the day to day operations.</p> <ul style="list-style-type: none"> • Governing Board made recommendation that the resident council present workable plans concerning the smoking issues to the administrator. <p>Motion # 18 made by Jerry Meske, seconded by Daryl Beard that the third floor smoking room is to remain open until next meeting to allow the governing board to hear more discussion.</p>	Motion # 18 carried.
11. Veterans Stand-down		Veterans Stand-down will be held at the Bismarck AMVETS, Wednesday, September 02, 2009.
12. ACOVA Meeting	<p>Date: Location: Time:</p>	<p>Friday & Sat., Aug. 21 & 22, 2009 Expressway Suites Friday @ 1:00 pm & Sat. to be announced</p>
13. NDVH Building Committee	<p>Date: Location: Time:</p>	To be announced
14. Next Meeting – Governing Board:	<p>Date: Location: Time:</p>	<p>Tuesday, October 13, 2009 Lisbon-NDVH M/P Room 10:30 AM</p>
15. Adjournment	Motion # 19 made by Jerry Meske, seconded by Orletta Kilen to adjourn this meeting.	Meeting Adjourned.
Minutes signed by Administrator		<p><i>/s/ Mark B. Johnson</i> Mark B. Johnson, Administrator</p>